

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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SHENEA JAMES, as Administrator of the estate of  
DEDRICK JAMES, deceased, and SHENEA  
JAMES, Individually ,

Plaintiff,

v.

THE UNITED STATES OF AMERICA, et al.,

Defendants.

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**RULE 51 STATEMENT OF  
UNDISPUTED FACTS  
CASE NO.: 21-cv-06318-EAW**

**STATEMENT OF UNDISPUTED FACTS**

Defendants, the City of Rochester and Richard Arrowood, by his attorneys, Patrick Beath, John Campolieto, of counsel, hereby submits the following Statement of Undisputed Facts in support of their Motion for Summary Judgment, pursuant to Local Rule 56(a):

1. On August 25, 2021 an arrest warrant was issued by the Town of Marion located in Wayne County, New York for the arrest of Dedrick James charging him with second degree assault on his two year old son. See Exhibit A.
2. The United States Marshal's Task Force set up surveillance on his residence 8 Vinewood Place on September 14, 2021. See Exhibit A.
3. On September 15, 2021 the United State's Marshal's Task Force attempted

to arrest Dedrick James at his address at 6 Vinewood Place. See Exhibit A.

4. During the attempt to arrest Dedrick James, he struggled with the United States Marshal's Task Force members Ulatowski and Smith. James possessed a firearm, which discharged as he struggled with the task force members. See Exhibit A.

5. Mr. James was pronounced deceased by EMS personnel upon their arrival.

6. Richard Arrowood was assigned to the United States Marshal's Task Force in February, 2018. See Exhibit C pgs. 14-16

7. He was deputized and worked exclusively for the United States Marshal's Task Force, He did not answer to the Rochester Police Department when working for the United States Marshal. See Exhibit C pgs. 14-16

8. On September 15, 2021, Richard Arrowood was a Rochester Police Department Investigator assigned to the United States Marshal's Fugitive Task Force. See Exhibit B and Exhibit D pgs. 2 and 6.

9. On September 15, 2021 Richard Arrowood was present for the surveillance at the surveillance of the house at Vinewood Place in the City of Rochester working for the United States Marshal's Task Force. See Exhibit B.

10. When the task force attempted to make contact with Mr. James, Investigator Arrowood was acting in a perimeter role for the taskforce maintaining the perimeter of the back yard. See Exhibit C, pgs. 58-60.

11. Investigator Arrowood had no contact or conversation with Dedrick James on September 15, 2021. See Exhibit B.

12. On and after 2018 Richard Arrowood was a City of Rochester Police Department Officer and as part of his job duties worked under the supervision and

direction of the US Marshal's Task Force. See Exhibit C, pgs. 1-16.

13. On September 15, 2021, date of the incident for which this Complaint contemplates, Arrowood's deputization had expired and is therefore not being defended and indemnified by the United States. See Exhibit D, pgs. 2 and 6.

14. Arrowood's role in this attempted arrest, pursuant to a warrant, by the United States Marshal's Task Force was limited to surveillance of a vehicle at the 6 Vinewood residence and perimeter security. See Exhibit E, pg. 3 and Exhibit C, pgs. 55-60.

/s/

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**JOHN M. CAMPOLIETO**

To: All Parties (ECF)